Docket Number: 16153-7775

PATENT 1632

OIPE JC42 JUN 11 2001 PATENT & TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to BOX NON FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231 on June 8, 2001.

Daniel S. Kasten
Reg. No. 45,363

In re Application of: Wold et al.
Serial No.: 09/351,778
Filed: July 12, 1999
For: Replication-Competent Anti-Cancer Vectors

Examiner: Peter Brunovskis, Ph.D.

Group Art Unit 1632

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BOX NON FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith is a Response in the above-identified application.

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDED FEE
TOTAL	27	27	0	$18.00	$.00
INDEP.	3	3	0	$80.00	$.00
TOTAL FEES FOR ADDITIONAL CLAIMS					$.00

X Seven (7) articles in support of Response.
X Information Disclosure Statement Transmittal Under 37 CFR 1.97(c).
X Statement for Information Disclosure Statement Under 37 CFR 1.97(e).
X PTO Form 1449 with Three (3) References (attached).
___ A petition for a month extension of time is enclosed.
X If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 18-1829 accordingly.
___ A check in the amount of is attached.
X No additional fee is required.
X Please charge any deficiencies or credit any overpayment to Deposit Account 18-1829. A duplicate copy of this sheet is attached.

Respectfully submitted,

Daniel S. Kasten
Reg. No. 45,363
Howell & Haferkamp, L.C.
7733 Forsyth Boulevard, Suite 1400
St. Louis, Missouri 63105
(314) 727-5188

June 8, 2001

Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: _____

2 Serial/Patent # 09/351,778

3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMO
✓ Filing			$ 388
Amendment			$
Extension of Time			$
Notice of Appeal/Appeal			$
Petition			$
Issue			$
Cert of Correction/Terminal Disc.			$
Maintenance			$
Assignment			$
Other			$ 128

203 = 63
205 = 65

7 TOTAL AMOUNT OF REFUND $508

8 TO BE REFUNDED BY:

- [] Treasury Check
- [] Credit Deposit A/

9 1/8 -- 1/8/29

10 REASON:

- [] Overpayment
- [] Duplicate Payment
- [] No Fee Due (Explanation):

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: _____ TITLE: HSAC

SIGNATURE: Margaret Sievers PHONE: _____

OFFICE: _____

THIS SPACE RESERVED FOR FINANCE USE ONLY:

APPROVED: _____ DATE: _____

Instructions for completion of this form appear on the back. After completion, a white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B

FORM PTO 1577
(01/90)

Attorney's Docket No. 16153-7775 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

☒ In re application of: Wold et al.
Application No.: 09 / 351,778 Group No. 1611
Filed: July 12, 1999 Examiner: Unknown
For:* REPLICATION-COMPETENT ANTI-CANCER VECTORS

☐ Patent No.: Issued:

*NOTE: *Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.*

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND
(37 C.F.R. 1.28(a))

I. SUBMISSION OF VERIFIED STATEMENT

(complete (a) or (b))

(a) ☒ Attached is a verified statement claiming small entity status in this application.

(b) ☐ A verified statement claiming small entity status was filed in this application on _____.

II. REFUND REQUEST

This request for refund is made within two months of the date a fee was paid in this application on July 12, 1999, in the amount of $ 886.00.

NOTE: The two-month period (§ 1.28(a)) is not included in the provisions for extension under 37 C.F.R. 1.136 because it is not a period for response. Notice of November 30, 1983, 49 FR 548, January 4, 1984.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

Repln. Ref: 02/25/2000 EBEMBRY 0011345700
DA#:181829 Name/Number:09351778
FC: 704 $443.00 CR

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Donald R Holland

Signature

Donald R. Holland

(type or print name of person certifying)

Date: 9/10/99

1999 SEP 14 PM 2:51

RECEIPT ACCOUNTING DIVISION

III. FEES PAID FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
☒ Filing fee	$ 443.00
☐ Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e) or 37 CFR 1.16(l)).	$
and/or	
☐ Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	$
☐ Extension of term	$
☐ Issue fee	$
☐ Patent maintenance fee	
☐ first maintenance fee	$
☐ second maintenance fee	$
☐ third maintenance fee	$
☐ Patent maintenance fee surcharge.	

NOTE: The refund provisions of § 1.28(a), for later submitted small entity statements, apply to maintenance fees. Notice of July 30, 1984, 1046 O.G. 28-37.

☐ Other	$
TOTAL REFUND REQUESTED	$ 443.00 .

IV. MANNER OF REFUND

Please make refund by

☒ crediting Account No. 18-1829.

☐ refunding overpayment.

Signature of attorney

Reg. No.: 35,197

Donald R. Holland

(type or print name of attorney)

Tel. No.: (314) 727-5188

Howell & Haferkamp, L.C.
7733 Forsyth, Suite 1400

P.O. Address

St. Louis, Missouri 63105

Attorney' Docket No. 16153-7775 **PATENT**

☒ Applicant Wold et al. ☐ Patentee _____

☒ Application No. 09/351,778 ☐ Patent No. _____

☒ Filed on July 12, 1999 ☐ Issued on _____

Title: Replication-Competent Anti-Cancer Vectors

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(d))—NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Nonprofit Organization Saint Louis University

Address of Nonprofit Organization 221 N. Grand
St. Louis, Missouri 63103

TYPE OF NONPROFIT ORGANIZATION

☒ University or Other Institution of Higher Education

☐ Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))

☐ Nonprofit Scientific or Educational Under Statute of State of the United States of America

(Name of State _____)

(Citation of Statute _____)

☐ Would Qualify as Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)), if Located in the United States of America

☐ Would Qualify as Nonprofit Scientific or Educational Under Statute of State of the United States of America if Located in the United States of America

(Name of State _____)

(Citation of Statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, with regard to the invention described in

☐ the specification filed herewith, with title as listed above.

☒ the application identified above.

☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the nonprofit organization, with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c), if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e)

*NOTE: *Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).*

Each such person, concern or organization having any rights in the invention is listed below:

☒ No such person, concern, or organization exists.

☐ Each such person, concern or organization is listed below.

Name _____

Address _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Name _____

Address _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any charge in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing Robert M. Swanson, Ph.D.

Title in Organization Associate Provost

Address of Person Signing 3556 Caroline Street

St. Louis, Missouri 63104

SIGNATURE _____ Date 9/10/99

Day : Wednesday
Date: 11/17/1999
Time: 15:15:57

PALM INTRANET

Serial Number Information

Serial Number : **09/351778**
Filing Date : **07/12/1999**
Examiner Number : **75009**
Group Art Unit : **1633**
Class/Subclass : **424/130.100**
Date of Abandonment : **00/00/0000**
Interference Number :
Location Date : **11/05/1999**
Lost Case : **NO**

Patent Number :
Issue Date : **00/00/0000**
Application Received : **07/12/1999**
Examiner Name : **WILSON, MICHAEL C**
Attorney Docket Number : **16153-7775**
Charge to Name : **NOT ASSIGNED**
Unmatched Petition : **NO**
Status Date : **11/04/1999**
:

Status : **030 / DOCKETED NEW CASE - AVAILABLE FOR EXAMINATION**
Location : **16C1/TECH CENTER 1600-CENTRAL FILE CM-1 11C10**
Charge to Location : **16C1/TECH CENTER 1600-CENTRAL FILE CM-1 11C10**
Station location : **FILE 1600**
Title of Invention :
REPLICATION-COMPETENT ANTI-CANCER VECTORS

Serial Info Contents | Attorney/Agent Info | Continuity Data | Foreign Data | Inventors | Address | Fees

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